

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

FILED  
U.S. DISTRICT COURT  
BRUNSWICK DIV.

UNITED STATES OF AMERICA )

v. )

DARRYL WASHINGTON )

CR 417-115

2017 SEP -7 P 1:35  
CLERK *D. Taylor*  
SD. DIST. OF GA.

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**AMENDED ORDER**

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On July 25, 2017, the Court was notified that Defendant Darryl Washington wished to change his plea. A Change of Plea hearing was scheduled by the Court for August 29, 2017 at 1:00 pm. At the outset of the hearing, Defense counsel indicated to the Court that he had learned of a history of mental health concerns with the Defendant. Defense counsel requested the Court order a mental competency exam. The government concurred, and requested that the exam be done pursuant to 18 U.S.C. § 4241 and 18 U.S.C. § 4242. After hearing brief argument by both the defense and the government on Defendant's oral Motion, and after conferring with Defendant the Court hereby GRANTS Defendant's Motion. Defendant's Change of Plea is still under advisement by the Court until the results of the Psychiatric and Psychological Examination are considered.

The Court orders that the Defendant, Darryll Washington, be committed to the custody of the Bureau of Prisons for a psychiatric and/or psychological examination pursuant to 18 U.S.C. § 4241 and 18 U.S.C. § 4242. The Court orders this because there is reasonable cause to suspect the mental competency of said Defendant to understand the proceedings against him now or at the time of the offense, or to properly assist in the defense of the charges pending in this case. There appearing reasonable cause to believe

that there is a substantial question as to the mental competency of the Defendant,

IT IS HEREBY ORDERED that the Defendant shall be committed to the custody of the Bureau of Prisons for an evaluation to determine the mental condition of Darryll Washington, pursuant to Title 18, United States Code, § 4241 and Title 18, United States Code § 4242, for a period of thirty days. Defendant is directed to cooperate with the Bureau of Prison's psychiatric and/or psychological evaluators during said evaluation.

IT IS FURTHER ORDERED that the Warden of the facility in which the evaluation occurs shall make a written report of his findings, pursuant to 18 U.S.C. § 4247 as soon as practicable, BUT NOT TO EXCEED THIRTY DAYS, to the Honorable Lisa Godbey Wood, Chief Judge, United States District Court, Southern District of Georgia, Post Office Box 1636, Brunswick, Georgia 31521; to Assistant United States Attorney Theodore Hertzberg, Office of the United States Attorney, P.O. Box 8970, Savannah, Georgia 31412; and to Jarrett Griffin Maillet at 210 E. 31<sup>st</sup> Street, Savannah, Georgia 31401.

The examiners shall prepare a report which shall include:

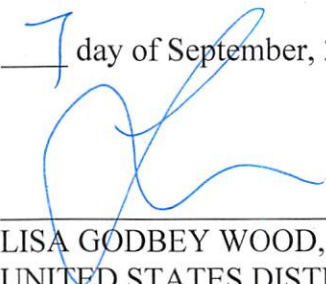
1. Said Defendant's history and present symptoms;
2. A description of the psychiatric, psychological, and medical tests that were employed and their results;
3. The examiner's findings;
4. The examiner's opinions as to diagnosis, prognosis, and
  - a) Whether Defendant Darryl Washington is suffering from a mental disease or defect rendering him mentally incompetent to the extent he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense; and

- b) Whether Defendant Darryl Washington was insane at the time of the offenses charged, that is, as a result of a severe mental disease or defect, was Defendant Darryl Washington was unable to appreciate the nature and quality or wrongfulness of his acts.

The Clerk of Court is hereby directed to serve a copy of this Order upon counsel of record, the United States Marshal and the Bureau of Prisons.

After the submission of the written report, the Warden shall submit his statement to the Office of the United States Attorney, ATTN Theodore Hertzberg, Office of the United States Attorney, P.O. Box 8970, Savannah, Georgia 31412.

**SO ORDERED**, this 7 day of September, 2017



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LISA GODBEY WOOD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA